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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,696	12/19/2000	Robert Callaghan	00 P 7532 US 01	9143

7590

08/06/2003

Siemens Corporation
Attn: Elsa Keller, Legal Administrator
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EXAMINER

PATEL, HARESH N

ART UNIT

PAPER NUMBER

2126

DATE MAILED: 08/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/742,696

Applicant(s)

CALLAGHAN ET AL.

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8. 6) ☐ Other: .

DETAILED ACTION

1. Claims 1-11 are presented for examination.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "A system that interfaces with the Public switched telephone network and a packet network and a method that dispatches the messages among the registered software modules".

Drawings

3. Figures 1, 3 and 6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3 and 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Draginich et al. 6,560,329 (Hereinafter Draginich).

6. As per claims 1, 6 and 7, Draginich teaches the following:

a system (e.g., an automatic call distribution system, e.g., line 1, abstract), comprising,
a method, comprising:

a software dispatcher adapted to maintain a list of message receivers (e.g., the routing controller receives agent status data from the agent stations and the call information and selects an agent station from the call information and the agent status data, abstract); and

a plurality of message receivers (e.g., agent stations abstract), said message receivers adapted to identify to said software dispatcher particular messages for receiving (e.g., the network provides a capability to route each call to selected one of the agent stations. The routing capability could be provided by a call transfer function); said software dispatcher adapted to send messages synchronously and asynchronously (e.g., the calls may be telephone calls, audio-video calls, facsimiles, or electronic mail messages, col. 4, lines 11-24),

said software dispatcher maintains said list as a list of unique integers identifying which receivers are to receive particular messages (e.g., the call arrival data may include automatic number identity (ANI), caller line identity (CLID), dialed number identity(DNI), dialed number information service (DNIS), and/or incoming information (II) for the type of the calling client

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device, col. 4, lines 4-11, incoming with respect to the call distribution system, col. 4, lines 17-24).

7. As per claims 2, and 8, Draginich teaches the following:

said software dispatcher is adapted to save asynchronous messages for later transmission in one or more logical message queues (e.g., a communication element to receive calls routed thereto, abstract).

8. As per claims 3, and 9, Draginich teaches the following:

messages are dispatched in order of their priority (e.g., in response to the order by the local agents, col. 4, lines 36-46).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4-5 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Draginich in view of Neuman et. al. 6,594,255.

Draginich does not specifically show the limitations of claims 4-5 and 10-11.

Neuman teaches the following:

dispatching messages comprising dispatching messages as flexible message parameters comprising name, type, and value fields (e.g., entry#, text, sender ID, next entry#, col. 7, table 1), said value field can comprise another flexible message parameter (e.g., extension#, col. 7, table 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Draginich with the teachings of Neuman in order to facilitate message structure to contain flexible parameters so that the dispatcher may acquire additional parameter of information.

Conclusion

10. The following prior art is cited but not relied upon:
 - a. 6,487,290, Le Grand. Le Grand teaches a controller to call routing based on local status evaluation.
 - b. 6,421,328, Larribeau et al. Larribeau teaches a mobility controller that provides operations administration and maintenance support for the micro system along with mobility management for establishing and maintaining communications between registered devices in the micro system and the PBX. (e.g., figure 2).
 - c. 6,330,316, Donak et al. Donak teaches a Network Call Manager to alternate route schemes using quality of service information for calls involving unreliable networks (e.g., figure 1).
 - d. 6,349,135, Frazier et al. Frazier teaches a server computer that dispatches messages between the network controller and the PBX (e.g., figure 2B).

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- e. 6,556,565, Ward et al. Ward teaches an Ethernet gateway for dispatching messages using IP telecommunication protocols (e.g., figures 1 and 2).
- f. 6,157,464, Bloomfield et al. Bloomfield teaches a router that interfaces between Internet fax stations and the PBX. (e.g., figures 1 and 107).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (703) 605-5234. The examiner can normally be reached on Monday-Friday from 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached at (703) 305-8498.

The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 306-5404.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Haresh Patel

July 25, 2003.



**JOHN FOLLANSBEE
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